



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

January 25, 2016

Denise Coleman
State Conservationist
Pennsylvania NRCS State Office
359 East Park Drive, Suite 2
Harrisburg, PA 17111

Dear Ms. Coleman:

Thank you for providing the Department of Environmental Protection (DEP) with a copy of your January 19, 2016 e-mail message re-issuing your original memorandum of December 20, 2013. This letter is to alert you that DEP is greatly troubled by the timing of this re-release, as it clearly can be seen as an attempt to subvert Pennsylvania's renewed efforts to address Chesapeake Bay restoration targets. It also can be viewed as undermining the efforts of our reinvigorated partnership with Pennsylvania's agricultural community to accurately represent their efforts to voluntarily install best management practices (BMPs) and receive appropriate credit from the federal Chesapeake Bay program.

It is inappropriate that NRCS chose this time to reissue a 2013 memo to address concerns of conservation districts related to DEP's new reboot strategy, rather than simply and clearly state that NRCS would not pull job approval authority if a conservation district conducts inspections of agricultural operations to verify compliance with long-standing state regulations. Going on to state that NRCS may pull that approval if conservation district staff identify and document existing, non-standard conservation practices (those that may not meet Field Office Technical Guide standards and specifications) knowingly challenges the partnership formed to collect data that document the good things that Pennsylvania farmers are doing on their own, without cost-share assistance.

This lack of adequate data to document non cost-shared agricultural BMPs has contributed considerably to Pennsylvania not meeting its Chesapeake Bay target reductions for nutrient and sediment. Failure to meet these targets has triggered backstop actions by EPA against Pennsylvania's agriculture and urban run-off sectors. On-going failure to meet these targets will lead to increased regulation of point and non-point sources of pollution and increased EPA inspection/enforcement of Pennsylvania's agricultural operations. It is difficult to understand the intent behind your 2013 memo when it is clear that the result of the consternation it will create is further sanctions on the industry for which NRCS is to advocate.

At this point, it is not clear to DEP how NRCS will be able to put this genie back in the bottle. Secretary Quigley and I would like to meet with you as soon as possible to discuss the matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Aunkst'.

Dana K. Aunkst
Deputy Secretary

Denise Coleman

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cc: Secretary Quigley
Secretary Redding
Glenn Seidel, PACD
Karl Brown, SCC
Chesapeake Bay County Conservation Districts
PA Farm Bureau
Penn State College of Agriculture
PennAg Industries
Professional Dairy Managers of PA